

SHAPIRO HABER & URMY LLP

Attorneys at Law

Thomas G. Shapiro
Edward F. Haber
Thomas V. Urmy, Jr.
Michelle H. Blauner
Todd S. Heyman
Theodore M. Hess-Mahan
Matthew L. Tuccillo
Adam M. Stewart
Robert E. Ditzion

Counsel
Lawrence D. Shubow
Alfred J. O'Donovan

E-mail:
ehaber@shulaw.com

September 18, 2006

VIA ECF FILING
COURTESY COPY VIA HAND DELIVERY

Hon. Mark L. Wolf
Chief Judge
United States District Court
District of Massachusetts
One Courthouse Way
Boston, Massachusetts 02210

Re: *Bahe v. Franklin/Templeton Distributors, Inc. et al.*
C.A. No. 04-11195-MLW

Dear Judge Wolf,

Pursuant to your September 8, 2006 Order in the above-referenced action, on September 12, 2006, the Plaintiff filed a Revised Proposed Publication Notice, a Proposed Press Release, and a Proposed Order approving the form of those documents (Docket No. 61). Your September 8 Order also provides that the Publication Notice be published in the *Investor's Business Daily* by September 19, 2006, and that the Press Release be issued by September 19, 2006.

The docket in this case does not yet reflect any action by your Honor with respect to approval of the form of the proposed Publication Notice and the Press Release submitted on September 12. Of course, Plaintiff will not publish any Notice or issue any Press Release until they have been approved by the Court.

SHAPIRO HABER & URMY LLP

Hon. Mark L. Wolf
September 18, 2006

Page 2

Investor's Business Daily requires legal notices to be submitted by 3 p.m. (EDT) two days prior to publication. Under these circumstances, Plaintiff will not be able to effect publication of the Notice by September 19. Plaintiff will effect that publication, and issue the Press Release, as soon as possible after approval of their form by your Honor.

Respectfully,

/s/ Edward F. Haber

Edward F. Haber

cc: Daniel A. Pollack, Esq.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 18, 2006.

/s/ Edward F. Haber

Edward F. Haber